

045723/19700/JAF/REN/TPD/MDG

U.S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ILLINOIS, EAST ST. LOUIS DIVISION

SHARON FIELDS,

Plaintiff,

v.

DOLLAR TREE STORES, INC.,

Defendants.

CIVIL NO. 3:19-cv-00941-NJR-RJD

CJRA TRACK: B

**PRESUMPTIVE TRIAL MONTH:
October 2020**

**JUDGE NANCY J. ROSENSTENGEL
MAGISTRATE JUDGE REONA J.
DALY.**

JOINT REPORT OF PARTIES
AND PROPOSED SCHEDULING AND DISCOVERY ORDER

Pursuant to Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), an initial conference of the parties was held on November 5, 2019 with attorneys Timothy Dugan, Michael Griffith, Joseph Ott, and Brian Winebright participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34 shall be served on opposing parties by DECEMBER 1, 2019.
2. Plaintiff's deposition shall be taken by JANUARY 15, 2020.
3. Defendant's deposition shall be taken by FEBRUARY 15, 2020.
4. Motions to amend the pleadings, including the commencement of a third party action, shall be filed by FEBRUARY 11, 2020 (which date shall be no later than **90 days** following the Scheduling and Discovery conference).
5. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:
Plaintiff's expert(s): FEBRUARY 15, 2020.
Defendant's expert(s): MAY 1, 2020.
Third Party expert(s): MAY 1, 2020.
6. Depositions of expert witnesses must be taken by:
Plaintiff's expert(s): MARCH 15, 2020.
Defendant's expert(s): JUNE 1, 2020.
Third Party expert(s): JUNE 1, 2020.

7. The parties **CERTIFY** that they have discussed, in particular, the proportionality of discovery, the burden and expense associated with discovery, and the discovery of electronically stored information (ESI). The parties **do not** anticipate a need for an ESI protocol. The parties shall submit to the Court any joint proposed ESI protocol no later than MARCH 1, 2020. (The protocol shall contain mechanisms for addressing necessary topics concerning ESI to include sources of information, search terms, format of production and preservation of ESI by both Plaintiff(s) and Defendant(s)).
8. **Discovery** shall be completed by JUNE 1, 2020 (which date shall be no later than **115 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full **30 days** as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
9. All **dispositive motions** shall be filed by JUNE 15, 2020 (which date shall be no later than **100 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Dispositive motions filed after this date will not be considered by the Court.
10. The parties are reminded that, prior to filing any motions concerning discovery, they must first meet and confer relating to any discovery disputes and then contact the Court to arrange a telephone discovery dispute conference if they are unable to resolve their dispute. If the dispute cannot then be resolved in the first telephonic conference, the Court will establish, with the input of the parties, the mechanism for submitting written positions to the Court on an expedited basis.

DATED: November 6, 2019

/s/ Joseph Ott, MO Bar #67889
Attorney(s) for Plaintiff(s)

/s/ Michael Griffith, MO Bar #47667
Attorney(s) for Defendant(s)